

CHAPTER NO. 248

HOUSE BILL NO. 1552

By Representative Hargrove

Substituted for: Senate Bill No. 1583

By Senator Cooper

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 29, Part 1, relative to the Uniform Disposition of Unclaimed Property Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 29, Part 1, is amended by adding the following as a new appropriately designated section:

66-29-1 . Unclaimed demutualization proceeds. Notwithstanding any provision of this part or any other law to the contrary, unclaimed property payable or distributable in the course of the demutualization of an insurance company is presumed abandoned three (3) years after the earlier of (i) the date of last contact with the policyholder or (ii) the date the property became payable or distributable. The report that is required to be filed on or before May 1, 2004 pursuant to § 66-29-113 shall include demutualization distribution property for which there has been no policyholder contact for the three years prior to December 31, 2003.

SECTION 2. Tennessee Code Annotated, Section 66-29-127(a), is amended by deleting the same in its entirety and by substituting instead the following:

(a) The treasurer may at reasonable times and upon reasonable notice examine the records of any person to determine whether the person has complied with the provisions of this part. The treasurer may conduct the examination even if the person believes it is not in possession of any property reportable or deliverable under this part.

SECTION 3. Tennessee Code Annotated, Section 66-29-129(c), is amended by deleting the same in its entirety and by substituting instead the following;

(c) The treasurer shall have the authority to not assess a penalty pursuant to this section or to waive any penalty that is assessed pursuant to this section.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 19, 2003


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 3rd day of June 2003


PHIL BREDESEN, GOVERNOR